NEW-YORK, SATURDAY, MARCH 14, 1896.-EIGHTEEN PAGES.

AND THE FOREIGN RELATIONS COM-MITTEE GETS INTO TROUBLE.

THE MISTERIOUS "INFORMATION" ON WHICH IT BASED THE CUBAN BELLIGERENCY RESO-

LUTIONS TURNS OUT TO BE A LETTER FROM SENOR DE LOME ON THE MILI-

TARY SITUATION IN THE ISLAND. [BY TELEGRAPH TO THE TRIBUNE.]

Washington, March 13.-The successive attacks made within the last few days on the Senate Foreign Relations Committee and its Cuban policy seem to have thrown the leading members of that committee into a state of decided confusion and bewilderment. Yesterday, in his prent anxiety to defend the committee's action in reporting the resolutions of February 28, Mr. Sherman let drop the rather sweeping statement that the committee, through Mr. Lodge, had had access to secret information in the State Department and had also received and considered a confidential communication from Secretary Olney before making its decision to grant belligerent rights to the Cuban insurgents.

A natural curiosity was aroused to know the nature and contents of this letter from the Secretary, and an effort would doubtless have been made to-day to unearth the mysterious information which justified the committee's vote had not Mr. Lodge this morning, as soon as the Senate met, promptly taken the floor to correct some "inadvertences" in Mr. Sherman's statements. The communication from Secretary Olney turned cut to be, according to Mr. Lodge's explanation, simply an inclosure of a letter from the Spanish Minister, giving his views on the military situation in Cuba. How an unpublished statement from Senor Dupuy de Lôme could have served as a basis on which to rest a declaration in favor of recognizing Cuban belligerency passes the average understanding.

Naturally, when Mr. Hoar and Mr. Wolcott asked for some light on the contents of this mysterious communication, Mr. Sherman took refuge behind the suggestion that it could be divulged only in executive session. It will undoubtedly be the committee's programme from now on to continue the discussion of the Cuban resolutions behind closed doors, where hostile criticism will be harmless to expose further the committee's vacillations and inconsistencies. The debate in the Senate to-day was incidental and brief, and the conference report was not itself formally taken up for consideration,

#### MR. LODGE'S EXPLANATION.

Immediately after the reading of the journal Mr. Lodge (Rep., Mass.) called attention to an incidental statement made yesterday by Senator Sherman as to a communication which he (Mr. Lodge) was supposed to have had from the Secretary of State, and to private papers which he was supposed to have received concerning affairs in Cuba. The statement of the Senator from Ohio was, Mr. Lodge said, an unintentional error. He had had no communication with Mr. Olney, and had received from him no private papers. The paper referred to was a full statement from the Spanish Minister, giving the Spanish side of the question, and which was sent to the committee from the State Department, and was read to the full committee by one of its members, Mr. Frye (Rep., Me.) The reading of these papers, Mr. Lodge said, had been confidential and had been mentioned by the Senator from Ohio simply by inadvertence.

Mr. Sherman now recalled the fact that the paper to which he had referred had come from the State Department, at the request of the committee, and had been fully read by the Senator from Maine.

Mr. Hoar (Rep., Mass.) commented on these disclosures as presenting a remarkable condicion of affairs, and asked whether the papers referred to ought not to be laid before the Senate.

"Certainly, in executive session," said Mr. "All right," said Mr. Hoar; "let the Senato

from Ohio move an executive session." Wolcott (Rep., Col.) suggested that the

Senate found itself in an unusual dilemma. If it were essential (he did not think it was) that Congress should act on the question of Cuban belon testimony reposing in the breasts of the members of the Committee on Foreign Relations alone—testimony which they could not divulge to the public and could divulge only in executive session. Then the resolution had to go to the House, where there was no executive session, and where the facts could never be known. The members of that body were absolutely without knowledge of a single one of the facts which the Committee on Foreign Relations had considered, and on which it would have to vote for crageinst belligerency. He would be glad to have explained to him whether or not Senators were expected to yield their own judgment and conscience and to follow the opinion distelligently formed, no doubt) of the Committee on Foreign Relations, based upon information which could not be divulged. on testimony reposing in the breasts of the mem-

Mr. Hale (Rep., Me.) called for the regular

order of business.

Mr. Hawley (Rep., Conn.) expressed a hope that there might be some declaration prepared by the Committee on Foreign Relations in which all Senators could join with satisfaction, and he said that he would at the proper time move to insist upon the Senate's disagreement to the House substitute for the Cuban resolution and said that he would be contained to the content of the cuban resolution and said that a further conference. ask for a further conference.

#### THE PRESIDENT WATCHING CUBA. RUMORS THAT AN INVESTIGATING COMMISSION

WILL BE SENT TO THE ISLAND DISCREDITED. Washington, March 13 .- The President is known to be giving much attention to the situation in Cuba, but, so far as can be learned, nothing definite has yet been the outcome of his consideration. Rumors that an investigating commission or an Army officer have been or will be sent to Cuba do not find corroboration among well-informed officials. Several Army officers have applied for leave of absence, with permission to go to Cuba, but in each of these cases the permission asked for was refused. While it is not believed at the War Department that any of the officers who made such application desired to take part in the hostilities, it was deemed best to keep them away from Havana. There were several reasons for this. It was thought that the Spanish Government might be suspicious of the presence of United States Army officers in the perturbed section, and it was feared that the feeling against this country might lead to incidents which would be decidedly embarrassing to the Governments at Washington and Madrid. It is obviously impossible that any American Army officer could have visited Cuba under present conditions without his presence being promptly reported.

It is also learned that permission to go to Bermuda and other British fortified ports near the United States coust has been refused to United States army officers since Mr. Cleveland's Venezuelan message was sent to Congress. The reason for this is obvious. American officers might be held in distrust as persons seeking information about the British fortifications, and the War Department did not propose to take any chances. Several Army officers have applied for leave of ab-

#### WHY CUBA WAS NOT MENTIONED.

Chicago, March 13.-A dispatch from Columbus, Ohio, says that the reason the platform was silent on the subject of Cuba was that ex-Governor Mc-Kinley had received a petition from New-York busi-ness men deprecating any declaration on that sub-lect, as calculated to further inflame the public and disturb our export trade. Word was thereupon sent to the Committee on Resolutions, and Cuba was not mentioned.

MILITIA OFFICERS BACK UP COLONEL COIT Columbus, Ohio, March 13.-Nearly all the officers of the 14th Regiment of State militin to-day ten-dered their resignations to Colonel A. B. Coit. This is the immediate result of the refusal of the Senate yesterday to permit the expenses of Colonel Coit's trial to be paid out of the State Treasury. Colonel Coit refused to accept the resignations. The Senate to-day reconsidered the vote by which the bill was rejected, and it will be further considered next week. It is likely that all the militia officers of the State will tender their resignations if the State refuses to assume this expense.

AND TIDE FAVOR.

TLE-SHIP-SHE HAD A ROUGH VOYAGE, BUT WENT THROUGH ALL RIGHT.

Beaufort, S. C., March 13.-The docking of the great warship Indiana at the adjacent Port Royal basin has been anxiously looked for here and by the people of the entire South Atlantic coast. The railroads ran large excursions and there was an invasion of visitors to see the docking of the noted vessel. They came by the hundreds from South Carolina and Georgia, and by noon there were about 2,000 visitors on the ground. Those who went directly to Port Royal saw the Indiana lying out in the stream like a floating brownstone fort. She arrived at 8:30 o'clock this morning. The docks were soon crowded with visitors, and the announcement that the battle-ship would be open to visitors at

1 o'clock was gladly welcomed. The Indiana had a rough time of it down from Mampton Roads, encountering a gale and heavy southwest wind. The hatches leaked a little from the firing of the heavy guns fore and aft for the

Board of Inspection. Captain Evans is delighted with the trip thus far. The Indiana is drawing 24.3 feet, and if she had drawn 29 feet she could have come in as well. If nothing unfavorable occurs and the westerly winds are not too high, the docking will occur in the morning on the high tide at 9 o'clock. The authorities of the navai station and the dock officers are confident that there will not be the slightest trouble in docking the vessel and cleaning her bottom for the first time since she left

the Cramps' shipyards.

The Coast Survey boat Blake is now in Port
Royal Bay to see whether there have been any
changes in the channels since the last survey. If the Indiana goes into the dock on time rning the expectation is that the two large pumps will have the masin empty by noon.

#### SHOT DEAD AT A SALOON DOOR.

THE MURDERED MAN HAD INSULTED THE PROPRIETOR'S WIFE.

Edward P. Donigan, a young porter, who ha been living at No. 303 East Eleventh-st. with his aged mother, whose sole support he had been, was shot and killed early last evening by John Shanley the proprietor of the saloon at No. 233 Avenue B The shooting took place in front of the saloon, and was in revenge for an insult by Donigan to Shanley's wife a minute before.

The trouble started when the bartender refused to grant credit for drinks to Donigan and two companions. The proprietor's wife, coming from her rooms above the saloon, entered the barroom just as the dispute over the drinks began. When she appeared Donigan started to abuse her and call her vile names. Her husband came in a moment later and she appealed to him for protection. Donigan then decided to leave the place and went outside the door. On the threshold, however, he turned and after breaking the glass in the door, called back a vile name at the saloonkeeper's wife. Shanley at orce drew a revolver and shot Domgan in the back. The wounded man was carried into a nearby drug store, where he died before an ambulance could be stimmoned. Shanley was taken to the East Fifth-

#### SNOWBALL FRACTURED HIS SKULL.

A BOY DYING FROM AN INJURY RECEIVED IN A MOCK BATTLE.

James McKenna, fifteen years old, who lives with his parents at No. 239 North Fifth-st., Brooklyn, was taken to the Eastern District Hospital yesterday, dying from a fractured skull. Coroner Nason took the boy's ante-mortem statement, in which he says that he was a student at St. Vincent de Paul's Academy, in North Sixth-st. At North Fifth-st. and Driggs-ave, is public school No. 17 After school hours it is customary for the pupils of the academy and school to engage in a battle, with snowballs as missiles. Yesterday McKenns led the academy forces, while John Hubman, fifteen years old, of No. 147 North Sixth-st., led the public school boys. Hubman was struck on the side of the head, receiving a contused wound also under the right eye. In a rage he hurred a hadnut of snow and lee at McKenna. In the snowball was a piece of band iron, which struck McKenna, fracturing his skull. Hubman and the boys from the public school ran away, and McKenna was taken to the hospital, where late last night it was said that he could not live. Hubman was arrested. He and McKenna have been warm friends, and even though the latter may, die his parents will not prosecute Hubman, who is locked up in the Bedford Avenue Police Station.

## BROTHERS GO TO JAIL FOR DEBT.

ANGRY NEW-YORK CREDITORS AGREE TO PAY THEIR BOARD THAT THEY MAY BE PUNISHED. Chicago, March 13.-Rudolph Diemel, who, with his brother Joseph, was in the furniture business in Chicago on a large scale until the failure of the firm, several years ago, was taken to Joliet tonight by United States Marshal Arnold to be imprisoned in the county jail there as the guest of Julius Strohelm & Co., of New-York, manufacturers of uphoistery goods. Strohelm & Co. were cred-itors of Diemel Brothers to the amount of \$8,500, and until judgment for that sem with costs is satisfied or the debtor is released by legal process, he will remain in fail, as the New-York firm has declared its purpose to pay the board of 40 cents a day for Diemel and his brother ...s long as the law will allow of their being kept in jail for debt. Under the State law this is six months. Joseph Diemel will join his brother in about a month. They were arrested on a captus in 1893, the creditors alleging that \$15,000 of the assets had been traudulently sequestered by giving preferences to relatives. The Federal Court of Appeals confirmed the judgment, and application was made to the United States Supreme Court for discharge on a writ of habeas corpus. The writ was refused last Monday. The brothers are determined to stay in jail.

The liabilities of the firm were \$600,000, and the creditors got a few cents on the dollar. the debtor is released by legal process, he will remain

# RORBED HIS FIRM OF \$100,000.

Cleveland, May 13.-Childs, Groff & Co., wholesale shoe manufacturers, were forced to the wall yester day by the peculations of the junior member of the firm, W. H. Huntington, who confessed. Yesterday afternoon chattel mortgages were filed against the firm, covering the entire stock. A discrepancy was noticed in the books last Tuesday, and Mr. Hunting ton astounded his associates by confessing that for ton astounded his associates by confessing that for over twenty years he had been stealing from the firm, and that the amount would exceed \$40,000. He stated to them that he had done this through bills payable and by carrying a cash balance short. A hasty examination of the books of the concern showed that the shortage exceeds \$100,000. Mr. Huntington had for years enjoyed the confidence of the firm, and has served as administrator of the estate of the father of the present senior member, and was named in the will of Mr. Groff as one of the executors of his estate.

## A TRAIN HELD UP BY A LONE ROBBER.

Chicago, March 13.—A dispatch from Salem, Ill., reports the holding up of a fast mail train of the Baltimore and Ohio Southwestern Hallroad at that place yesterday. When the train approached the crossing, where an interlocking switch is used, the switchman at the tower was unable to give the switchman at the tower was unable to give the signal to go ahead, and the train stopped. The trainmen went forward to learn the cause of the trouble with the switch when a man boarded the passenger coach and began to hold up the passengers. The train stopped only a short time and but one man was robbed—L. J. Cowles, a passenger from St. Louis, who was going to Dayton, Tenn. Mr. Cowles says the robber got from \$55 to \$70 from him. There is no clew to the robber.

# A BREAK IN THE WHEAT MARKET.

wheat market on the Board of Trade to-day, May selling nearly two cents under the closing price yea-terday and one cent below the opening price to-day. terday and one cent below the opening price to-day. The market opened weak on the depressing cables and generally finer weather, the start being 63½ to 63½ cents, which was the curb price yesterday. There was a wild rush of the longs to unload and selling by the discouraged holders of May wheat. The covering by shorts and buying by New-York houses helped to support the market for a time. The high point of the day for May was 64½. The price declined steadily until 62½ was reached, the price declined steadily until 62½ was reached, the lowest point for two months. The market closed at that figure.

# SENATORS SEEK FOR LIGHT. THE INDIANA AT PORT ROYAL. POWERLESS IN HEAVY SEAS. AGAINST THE EX-INSPECTOR. CONTROLLER ROBERTS BEATEN

DECK TORN AWAY.

FLOOD THE CABINS-SOME OF THE CARGO THROWN OVERBOARD.

The severe gales which have prevailed along the Atlantic coast for the last few days have had serious effects upon the incoming vessels. Among the vessels which have put into the nearest port for repairs is the British tramp gleamship Ithamo. She had been sadly battered by the gales and was leaking considerably. Captain Wigzell, her commander, yesterday told his experien

The steamer left Baltimore on Thursday, March 5, passing Cape Henry on the 6th, with a full cargo of maize or Indian corn for Londonderry. Ireland. During the first days of the voyage good weather prevailed, but on March 7 the wind veered to the northwest and soon increased to a gale and continued blowing during the 7th and 8th, until it assumed hurricane force. Captain Wigzell was obliged to heave to during the afternoon of the 8th. About 5 p. m. an enormous sea boarded the steamer over the stern, smashing the ventilators, companionway and breaking in a hatch, and flooding the cabin and after-hold. The waves continued to pour over the vessel, fore and aft, causing her to labor and strain heavily. The Ithamo was at this time in latitude 39, longitude 63. The seas tore away everything movable about the decks and disabled the hand steering gear, filling the cabin with three feet of water.

The Ithamo continued to plunge badly throughout the night of the 8th. At 9 p. m. another great sea ran over the bows, breaking the steel bulkhead under the awning or hurricane deck, twenty-seven planks of which deck were torn up and the forward hatch stove in, filling the forehold. Rails and ventilators were carried away and the steamer was flooded between decks About 560 bags of corn were thrown over the side to permit the pumps to free the forehold. The gale continued to blow with unbating fury

for thirty-six hours from the west-northwest. When moderating, the officers were enabled to When moderating, the officers were enabled to investigate the damages, which were so extensive that it was deemed best to shape the vessel's course for New-York, where she arrived, passing Sandy Hook at 5 p. m. Captain Wigzeli says that a greater part of the cargo is damaged and that considerable water has leaked into hold No. 2 from the others. The entire cargo will probably be discharged. The Ithamo is owned by the Pinkney Line, of Sunderland, England. She registers 1,424 tons. Her agents in New-York are Peter Wright & Sors.

#### HARVARD WINS IN DEBATE.

HER OPPONENT PRINCETON AND THE QUES-TION THE RETIREMENT OF LEGAL-TENDER NOTES.

Cambridge, Mass., March 13 (Special).-Harvard defeated Princeton to-night in a debate on the sub-ject: "Resolved, That Congress should take immediate steps toward the complete retirement of all legal-tender notes." Princeton had the affirmative, Harvard the negative. The Harvard speakers were P. Dobyns, '98; W. S. Youngman, L. S., and J. P. The Princeton debaters were H. Ure 96; R. M. McEllroy, '96, and F. W. Loetscher, '96 Governor Russell, of Massachusetts, presided e judges were Professor Hanley, of Yale; Pro-sor Mayo Smith, of Columbia, and George Fre-liams. Harvard never has been defeated in de-

bate.
The debate was followed by a supper in Boston, at which Mayor Quincy presided.

## REPORTED AS HOPELESSLY BANKRUPT.

STEPS TAKEN TO WIND UP THE GRANITE STATE PROVIDENT ASSOCIATION.

Concord, N. H., March 13.-The New-Hampshire Bank Commissioners to-day reported to Governor Busiel the result of their examination of the affairs of the Granite State Provident Association, of Man chester, which has extended over several weeks. They find a deficit of \$281,916, and say: "If to the deficit is added the sum of \$548,672, the amount of for expenses and fines, \$810,590 is found as the amount the association must earn in order to pay back to members what they have paid in; and the question when the shares can be matured in accordance with the association's published plans is that the earning power of the association can never accomplish it, and the shares can only be matured accomplish it, and the shares can only ob mature, by receipts from new members." The liabilities are figured at \$2,132,161, and the assets \$2,876,243. The association was organized for life insurance, coperative building and leaning.

The Commissioners have ordered steps for the vacation of the company's charter and the appointment of a receiver to take charge of its property.

## AGAINST THE HEINE FOUNTAIN.

MAYOR STRONG APPROVES THE FRENCH BILL-THE ALDERMEN TO BE HEARD BEFORE

Mayor Strong approved the French bill yesterday, and sent it back to Albany for the signature of the Governor. The bill provides that henceforth no statue, monument or memorial shall be received by this city without first having received the unani-mous approval of the Mayor, the president of the

mous approval of the Mayor, the president of the Board of Aldermen, the president of the Park Board, and the presidents of the Sculptors' Society and the Municipal Art Society.

The approval of the bid means that the Heine Fountain will not be erected in this city.

The Legislative Committee of the Board of Aldermen sent a telegram to Governor Morton yesterday asking for a hearing before him before he signs the bill. The committee will appear before the Governor next Wednesday.

The Mayor has not yet acted on the resolution of the Board of Aldermen accepting the Heine Fountain for the North Side. There seems to be no doubt, however, that he will yeto the resolution.

## DESTITUTE MINERS IN COLORADO.

Chicago, March 13.-A dispatch from Denver, Col., says: "Reports from the coal mines of Northern Colorado disclose a terrible state of affairs as the direct result of the war that has been waged by the railroads hauling the output of the southern mines. The statement is made that the late employes of one company are without the actual neces-saries of life, as their credit has been stopped, and they have no way to raise money. Their claims against the company aggregate \$14,000, but their time checks are worthless. The company closed down some time ago, as, owing to the competition, they could not make the running expenses of their mines and pay the heavy royalty that is exacted by the owners of the land. The town of Erie, where the worst destitution is reported, has a population of about five hundred, all of whom rely upon the mines for their bread. Of this number few have averaged more than \$\frac{1}{2}\$ to \$10 a month since the beginning of the winter."

## FLURRY IN BLUE JAY MINING SHARES.

Denver, March 13.-A run on Blue Jay caused in tense excitement on the Colorado Mining Exchange to-day, and over half a million shares were sold at prices from 6 to 29 cents. It is reported to-night that but little stock has been issued, and some of the brokers will have difficulty in making settle-

ments. The excitement was due to a report of a great strike on the property.

Later in the day a report was affeat that officers in the Bine Jay Company had combined to raise the price so as to secure money to meet payments due next week. For a month 'he mining stock market has been lifeless, but to-day's excitement has set the speculators crazy. A liveller time is predicted for to-morrow.

# INJURED BY A GAS EXPLOSION.

Cincinnati, March 13.-This afternoon, while work men were boring for water in the boller-room of st., natural gas was struck at a depth of 200 feet.
The room was soon filled with gas, which ignited
from the furnace, causing an explosion and wrecking the building. The following are the names of
persons who were seriously burned or bruised: Erastus Weaver, James Fallon, Carl Keifer, Frederick Wallenhorst, Herman Weicking, Frank Veizger, Frank Deffis, Harry La Field, Joseph Stump, George Felix and Joseph Kettinger. The property loss will not exceed \$5,000.

THE APPELLATE DIVISION.

CROWDS OF VISITORS INSPECT THE GREAT BAT- GREAT WAVES POUR OVER THE VESSEL AND THE LOWER COURT'S OPINION ON THE MOTION FOR CHANGE OF VENUE REVERSED ON AN ERROR IN PROCEDURE-M'LAUGHLIN

NOT TO BE ARRESTED FOR SEVERAL DAYS. A decision against William W. McLaughlin,

the former Police Inspector, was handed down yesterday by the Justices of the Appellate Division of the Supreme Court. His conviction on the indictment which charged him with accepting a bribe when he was captain of the First Precinct is sustained, but the order of the lower court which denied his application for a change of venue is reversed. The two de-



INSPECTOR M'LAUGHLIN.

isions of the Appellate Court might appear to be contradictory, and the acknowledgement of the soundness of his claim for a change of venue may furnish one more loophole to escape a rell in Sing Sing.

The order denying a change of venue was reversed, not on its merits, but because of an error in procedure. This error was the action of the lower court in compelling the defendan to proceed to a hearing of the motion for a change of venue at a date earlier than that fixed in his notice. The real object of the change of venue, however, according to the opinion, is to secure an impartial trial. That bject, as a matter of fact, was secured, as the Court finds. An impartial jury was secured and no serious fault is found with the conduct of the jury.

#### M'LAUGHLIN NOT ARRESTED.

McLaughlin was said to be in the city yesterday, but he was not arrested. His counsel said that he would be surrendered, and that immediate application would be made for another certificate of reasonable doubt, in order that his case might be carried to the Court of Appeals. Assistant District-Attorney Davis said shortly before 6 p. m. that McLaughlin would not be arrested last night. He said it was decided to give two days' notice of the affirmance of the former conviction to the defence, and at the end of that time if no cognizance was taken McLaughlin would be arrested.

McLaughlin was Inspector of Police when he was tried twice on the charge of bribery, the chief witness against him being F. W. Seagrist, the builder. After his conviction on the second trial, he was sentenced by Justice Barrett to two years and six months in Sing Sing. He has been at liberty under heavy bail while his appeal was pending.

McLaughlin had a rapid promotion in the police force because of his undoubted detective ability. For years he was known as the right hand of Chief Inspector Byrnes in the Detective Bureau, and it was through the influence of M: that he rose to the rank of Inspector. Before the Lexow Committee McLaughlin admitted that he had acquired property amounting to about but he declared that he had made most of it by speculating in real estate. It is well known that his expenses in defending himself in the two trials have been large, and it is generally believed that he has spent a considerable part of his fortune in efforts to escape imprisonment. GROUNDS OF THE OPINION.

The opinion on the change of venue was written by Justice Rumsey and that affirming the conviction by Justice Williams.

Justice Williams pays particular attention to the lower court's action and rulings during the

selection of the jurors, and says;
"All intelligent men are accustomed to read these newspapers and may form more or less definite opinions or impressions as to the matters therein contained and to express such opinions or impressions to others. Only the ignorant classes fall to read the papers from day to day It is apparent, therefore, that when men are It is apparent, therefore, that when men are called as jurors to sit in an important criminal case, a case that has excited great feeling and interest in the community, few honest, intelligent men will be able to say that they have not heard or read of the case and have not formed or expressed an opinion as to the guilt or innocence of the defendant who is being tried. Men who do say this are discovered to be wanting in intelligence or are suspected of dishonesty in their statements. If, therefore, an honest, intelligent jury is to be obtained at all in the case, men who have heard and read of the case, and who have formed and expressed an opinion as to the guilt or innocence of the defendant, must be selected."

The answers of particular talesmen are re-

the guilt or innocence of the defendant, must be selected."

The answers of particular talesmen are referred to, and it is said that the trial judge had the best opportunity of forming an opinion as to their intelligence, since he could consider such important factors, as to their appearance and demeanor. The Court does not see that the trial judge improperly exercised his discretion. The Court does not regard the contention that the fifth count in the indictment, under which the trial was had, did not contain the proper allegations as to the time and place of the crime as well-founded. The matters were specifically stated in other counts, and, although the District-Attorney elected to proceed under the fifth count, the others were not absolutely obliterated.

Discussing the point that the threat was made

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Discussing the point that the threat was made by Wardman Burns and not by McLaughlin, then captain, it is stated that the law of this State now makes one who would formerly have been an accessory before the fact a principal. A person may be connected as a principal who, though absent when the crime was committed, advised and procured the commission.

As to the claim that testimony that other alleged criminal counts not specified in the indictment were testified to, the point is made that the line of testimony was admitted to prove the agency of Burns. The Court is of the opinion that for this purpose such testimony was proper. The opinion, in closing, says:

"It seems to us that the defendant was proven beyond any reasonable do.ibt to have been guilty of the crime of extortion charged in the indictment, and that the judgment should be affirmed."

## NATURAL GAS NOT DUTIABLE.

Utlea, N. Y., March 13.-A. C. Coxe, of the United States District Court, handed down a decision to-day which is of considerable importance to the man-ufacturing industries and citizens of Buffalo. For some time there has been consumed there large quantities of natural gas piped from Canada under quantities or natural gas piped from Canada duction the Niagara River. There was a question as to whether or not this gas was dutiable, and she matter was referred to the Board of General Appraisers, which held that it was. On application of the Natural Gas Fuel Company the Board reviewed its decision, overruled it, and held that natural gas is a crude bitumen and a crude mineral, and therefore exempt from duty under Paragraph 651 of the Act of 1890. Judge Coxe sustains this decision.

TO BE DOCKED THIS MORNING IF WIND PART OF THE ITHAMO'S HURRICANE M'LAUGHLIN'S CONVICTION AFFIRMED BY A SIGNAL TRIUMPH FOR M'KINLEY IN ERIE COUNTY.

THE OHIO CHAMPION'S FRIENDS ELECT THEIR

DELEGATES TO ST. LOUIS IN THE

XXXIIID CONGRESS DISTRICT. [BY TELEGRAPH TO THE TRIBUNE.]

Buffalo, March 13.-The McKinley spark which Controller Roberts referred to in New-York last week blazed in his own Congress district to-day and defeated him for delegate to the St. Louis Conven-The XXXIIId Congress District consists of nine wards of Buffalo and the twenty-five towns which surround Buffalo. To give a strong front to the Morton candidacy Mr. Roberts stood as a delegate with former State Committeeman George Urban. The McKinley sentiment of the residence district of Buffalo was too strong to be overcome by personal influence, and Mr. Roberts's ward turned out a handsome plurality for McKinley. Every West Side ward but one, that the notorious Nineteenth, which hes beside the canal and is swung by canal patronage, gave a splendid McKinley major-The organization feared losses in these wards, but banked on winning in the towns, which cast 90 out of 136 votes in the district convention. It suc ceeded in tying the hands of ex-State Senator Henry H. Persons, who had at first undertaken the management of the McKinley movement; but ex-Senator Persons kept his hands off, and the towns voted strongly for McKinley. Advices from a majority of them indicate that the Morton men have nothing to expect from that quarter, Mayor Edgar B. Jewett was pitted against Controller Roberts, and will go as a delegate to St. Louis. The other delegate will be Wesley C. Dudley, clerk of the

Board of Supervisors. In the XXXIId District the organization felt confident of an easy victory, but a close contest de-veloped. Morton delegates will be elected, but Mc-Kinley carried several of the sixteen wards, and would undoubtedly have won had the movement been started a few days earlier. The XXXIId's delegates will be State Committeeman John R. Hazel, formerly classed as anti-Platt, and Captain John Kraft, who supervises the western division of the canal. Last year they opposed each other for delegates to the State Convention.

No effort was made to elect McKinley delegates to the State Convention, as that was thought to be futlle.

#### AWAITING HANNA'S COMING. THE MORTON PEOPLE SPECULATING ABOUT THE

M'KINLEY BOOMER'S VISIT. The Morton boomers manifested a strange fond-

ness for the Waldorf yesterday. Those who are managing the Governor's boom eyed that hotel suspictously al day. They entered the hotel with caution, approached the clerk with apparent trepidation and asked in husky whispers:

"Is 'Mark' Hanna here? It was said yesterday that Marcus Aurelius the Cleveland millionaire and McKinley poomer, had come to town and opened headquarters at the Waldorf. Such a proceeding, so the Morton people said, was unprecedented. Courtesy, they ontended, forbade the astute manager of McKinley's boom to make a bid for McKinley delegates in the State which they consider committed to Gov-ernor Morton for the Presidential nomination.

They argued in a hurt way that, active and energetic as they were in booming Morton, they had religiously kept their hands off Ohio; had steered clear of Iowa, where the sentiment for Allison is ominant; refrained from invading Speaker Reed's New-England territory, and in fact made no effort to injure any avowed candidate in his own district. Accordingly they were nonplussed at the reported hardihood of Mr. Hanna. The question about Mr. Hanna was shot across the onyx desk at the Wal-dorf with such persistency that the clerks, whenever they saw a man approach the desk in a hesitating way, replied without hesitation;

"No, he isn't here." The thing became monotonous in time, and when one caller, after being told that Mr. Hanna was not there, asked if the McKinley manager was expected, the clerk said wearily:

open near-The visitor gasped "When will the annex be completed?" "When will the annex be completed?" "Oh!" replied the clerk, "about the first of the "Oh!" replied the clerk, "about the first of the vear."

While Mr. Hanna has not reached here as yet, nevertheless he is expected to get here within a day or so. Those who favor McKinley say that his business will not be to look after delegates, but histead will be of a personal nature. At the Pifth Acenue Hotel, where the Morton sentiment is crystallized, the fact was apparent that the Morton boomers were anxious over Mr. Hanna's proposed invasion of their territory. Mr. Hackett, the achievement of their territory, Mr. Hackett, the achievement of their territory. Mr. Hackett, the achievement of their territory, Mr. Hackett, the achievement of their territory, Mr. Hackett, the achievement of their territory. Mr. Hackett, the achievement of their territory, Mr. Hackett, the achievement of the territory, Mr. Hackett, the achievement of their territory, Mr. Hackett, the achievement of the territory, Mr. Hackett, the achievement of the territory, Mr. Hackett, the Achievement of the Mr. Hackett, the Achievement of the

DETERMINED TO HAVE A FAIR PRIMARY.

The Anti-Machine Republicans mean to have an honest primary in the XXVth Assembly District next Monday if there is any virtue in an effort to next Monday if there is any virtue in an effort to enforce the law relating to such elections. The inspectors who are to compose the election boards in the several election districts of that Assembly District had the oath of office administered to them last evening in Parlor F of the Fifth Avenue Hotel. This innovation was brought about by Wilbur F. Wakeman and his associates, who had been active in their preparations for fair, square primaries this time. They have served notice on the Platt-Lauterbach machine that the primary election law must be respected, and that if the henchmen of the "regular" organization attempt to resort to fraud and violence, as at the primaries last December, the violators of the law will be arrested, indicted and punished.

## THIRTEEN THOUSAND TAILORS STRIKE.

A BIG DEMONSTRATION TO SHOW SYMPATHY

Chicago, March 13.—Thousands of men and women, members of fourteen local unions of tailors, went out on strike this morning in sympathy with the clothing cutters and trimmers. While the strike was practically brought about by the clothing cutters and trimmers, trouble the the clothing cutters and trimmers trouble the tailors have grievances of their own. They say that before they will return to work they must have an increase in wages of 25 per cent. The strike affects not only the wholesale houses whose strike affects not only the unit substance of cutters and trimmers are out, but also those of the ten friendly firms who are having no trouble with their employes. The Cutters' Union will hold a meeting to discuss the advisability of calling out all its members who are now at work. If this is done it is said the wholesale clothing trade will be completely paralyzed.

The strikers announced with glee that the North-

western Tailors' Contractors' Association and the Bohemian Contractors' Association had decided not to make up clothing cut by non-union men. Since the cutters' and trimmers' trouble with their employers began, the tailoring trade has been dull, and leaders of the new strike say that many workmen have been idle for weeks for lack of material to work on. These people are not included in the esti-mate given at headquarters that 10,000 garment workers are involved in the strike which began toworkers are involved in the strike which began today. The leaders declare that 3,000 tailors, who were
not members of the union, have joined hands with
them, believing the employers intend to reduce their
wages after the defeat of the cutters and trimmers.
Those who went out to-day are not the men who
work for merchant tailors, but those who labor in
factories and shops where the goods of the manufacturers are made up.
Secretary Abel, of the Clothing Cutters' Association, said 13,000 tailors had responded to the call to
strike.

tion, said 13,000 tailors had responded to the call to strike.

Telegrams were sent to-day to Meyer Schoenfeldt, of New-York, the great Hebrew organizer, and Charles F. Reichers, president of the United Garment Workers' Union of America, requesting their presence in Chicago. They are expected to arrive before Monday.

The manufacturers declare they are not affected by the strike. They are still ordering non-union cutters from Rosenburg, of New-York, who is contracting to fill the places of the strikers. Eighteen arrived to-day from New-York, and twenty-one came Monday.

CROKER'S HORSE HEAVILY BACKED. London, March 13,—"The Sportsman" in its issue to-morrow will say that Richard Croker's horse Montauk was backed for £5.000 Friday to win the Derby at odds of 100 to 1.

#### MAYORS ASK TO BE HEARD.

THEY WANT TO TALK TO THE GOV-

SENATOR RAINES AND SPEAKER FISH INDUCT

ERNOR ABOUT THE RAINES BILL

THE GOVERNOR TO ANNOUNCE THAT THERE WILL BE NO HEARINGS, BUT HE MAY CHANGE HIS MIND - MAYOR

STRONG WOULD NOT JOIN

IN THE REQUEST.

[BY TELEGRAPH TO THE TRIBUNE.] Albany, March 13 .- John Boyd Thacher, Mayor of Albany, telegraphed to the Mayors of the thirty-nine cities in the State this morning that he was about to request Governor Morton to grant them a hearing on the Raines Liquor Tax bill, and asked of each one: Will you authorize me to add your name to the request? Mr. Thacher's idea was that, inasmuch as the cities

will be compelled to surrender one-third of the

money they collect under the tax on liquor-

dealers, the authorities of these places may

wish to say something personally to the Governor about the bill. Speaker Fish and Senator Raines no sooner heard of what Mayor Thacher had done than they rushed off to the room of Governor Morton and persuaded him to announce that he would not grant any hearing on the Raines bill. Mr. Morton may change his mind when he sees how strong is the desire of the Mayors of the State to be heard. He gave a hearing on the

Insurance Retaliation bill, and it would seem in-

credible that he should refuse it on one of the greatest legislative enactments which have been passed in recent years. Governor Mortor's law adviser, Charles Z. Lincoln, was at work to-day examining legal authorities to learn if the bill must be referred to the Mayors of cities for their approval or disapproval. At first appearance the Raines bill is a general act such as it is not necessary to refer to the Mayors, but it has special feat-

ures, and certain cities of the same class have a different grade of license. . The Governor has until March 24 to make a decision on the bill. Tals is the day on which the Republican State Convention will be held in New-York City. Some politicians think, from Thomas C. Platt's desperate haste to pass the bill yesterday in the Assembly, that he intends to coerce Governor Morton indirectly into signing it. They imagine him saying to Mr. Morton: "This Raines bill gives me a tremendous amount of political patronage, and the power to exert political influence through the liquor-dealers. If you sign the bill I can give you a big boom for President at the Republican State Convention. If you veto it, I am afraid a great deal of my present enthusiasm for you, founded upon previous doles of patronage, will vanish."

The Republican Mayors who replied to Mayor Thacher's telegram apparently feared a political trap of some sort and, therefore, did not second his efforts to procure a hearing for the cities on the Raines bill. Mayor Strong, of New-York, telegraphed: "I think not." Frederick W. Wurster, Mayor of Brooklyn, telegraphed the following answer: "Replying to your telegram, I see by the newspapers that the bill is already in the hands of the Governor."

"You can add my name to the list," telegraphed George E. Warner, Mayor of Rochester. Orlando Lewis, Mayor of Auburn, telegraphed: "Yes, but will not be able to attend hearing." John D. Higgins, Mayor of Oswego, telegraphed: "Cannot join suggested request to Governor. If I should desire hearing, I prefer to present views personally." Charles King, Mayor of Little Falls, telegraphed: "Your telegram received. I am in favor of the Raines bill." Mayor Arnold, of Poughkeepsie, and Mayor Jewett, of Buffalo, were both absent from their cities, and therefore no answer could be obtained from them. George H. Tater, Mayor of Hudson, telegraphed: "Use my name asking Governor to give hearing on loy, Mayor of Troy, telegraphed: "Will be pleased to give any assistance ir my power." James K. McGuire, Mayor of Syracuse, said: "You may add my name to the list." W. J. P. Kingsley, Mayor of Rome, telegraphed: "You may use my name as you wish against bill." D. B. Lucy, Mayor of Ogdensburg, telegraphed: "You have the permission requested." O. W. Cutler, Mayor of Niagara Falls, telegraphed: "You are authorized to add my name to your request to the Governor for a hearing on the Raines bill." John J. Gibson, Mayor of Utica, telegraphed: "You may add my name to the request for a hearing." Frederick Collin, Mayor of Elmira, telegraphed: "Yes, add my name to your request to the Governor for a hearing on the Raines Liquor Tax bill." George E. Green, Mayor of Binghamton, telegraphed: "You may use my name if you desire, although I am emphatically in favor of the

Mayor Thacher at the close of the day, although he had received replies from only one-third of the Mayors, deemed it bert to send the following letter to Governor Morton lest Senator Raines and Speaker Fish might persuade the Governor to sign the bill before he was aware that the

Mayors desired to be heard on it:

To Hon. Levi P. Morton, Executive Chamber, State Capitol, Albany, N. Y.
Dear Sir: Senate bill, commonly known as the Raines Liquor Tax law, is now in your hands. The Legislature has interpreted this bill as general in its application, and, therefore, has declined to submit it to the Mayors and local legislative bodies, as all bills affecting cities must be submitted under the Constitution. I cannot conceive of a measure which more directly and specifically affects the cities of the State. The advocates of this bill have sought to identify all its opponents with the dealers and controllers of the liquor traffic of the State. There are far higher issues at stake than the protection of any one trade or industry.

I ask for a hearing on this measure in behalf of my own city, and I am authorized to make a similar request by the Mayors of the following cities of the State: George E. Warner, Rochester; George H. Tater, Hudson; Francis J. Molloy, Troy; James K. McGuire, Syracuse; W. J. P. Kingsley, Rome; D. B. Lucey, Ogdensburg; O. W. Cutler, Niagara Falls; John J. Gibson, Utica; Frederick Collin, Elmira; Orlando Lewis, Auburn, and George E. Green, Binghamton.

Therefore, I respectfully urge that a day be set apart when the Mayors and local authorities of the several cities of the State may be heard before you respecting this bill, and that the hearing be confined to those who represent the different cities desiring to be heard. Yours,

JOHN BOYD THACHER, Mayor. Mayors desired to be heard on it:

Mayor Thacher sent this letter to Governor

Morton at the Executive Mansion to-night. Thomas C. Platt informed one of his followers early this week that as soon as the Raines bill became a law supplemental bills would be passed, making some concessions to liquor-dealers. One of these concessions may be a lower tax on ale and beer. Senator Raines denied today that any such concession would be made, and the same statement came from Mr. Allds, chairman of the Assembly Excise Committee. Nevertheless, some liquor-dealers declare that the Platt Republicans will do so. Mr Platt has obtained the support for the Raines bill of some advocates of high license. With his political machine once created by the Raines bill, will he repudiate the righ-license doctrine and seek the favor of the liquor-dealers? Under high license the number of saloons will be reduced, and therefore the number of saloonkeepers subject to political

lowering of the ale and beer license by supple-The latest rivies at one-half the price tailors charge for similar qualities and workmanship. GEORGE G. BENJAMIN, BROADWAY, COR. 25TH ST.—(Advt.

blackmail will be less. That would not be agree-

able to the leaders of the Platt machine. A